

Marc Toberoff (MT 4862)
LAW OFFICES OF MARC TOBEROFF, PLC
1999 Avenue of the Stars, Suite 1540
Los Angeles, CA 90067
Tel: 310-246-3333

Attorneys for Plaintiffs Clonus Associates
And Robert S. Fiveson d.b.a. Fiveson Productions

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X

CLONUS ASSOCIATES and ROBERT S.
FIVESON d.b.a. FIVESON PRODUCTIONS

Plaintiffs

Case No. 05 CV 7043 (SAS)

v.

[Hon. Shira A. Scheindlin]

DREAMWORKS, LLC and
WARNER BROS. ENTERTAINMENT, INC.

[Electronically Filed]

Defendants

-----X

NOTICE OF MOTION

PLEASE TAKE NOTICE that on the 21st day of June, 2006, at 9:00 a.m. or as soon thereafter as counsel may be heard, attorneys for Plaintiffs Clonus Associates and Robert S. Fiveson d.b.a. Fiveson Productions, shall move, before the Honorable Shira A. Scheindlin, U.S.D.J., United States Courthouse, Room 1620, 500 Pearl Street, New York, New York, 10007, for the entry of an Order in the form submitted herewith, granting to Plaintiffs' summary judgment and other relief in the above-captioned action.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiffs shall rely upon this Notice of Motion, Memorandum of Law in Support of Plaintiffs' Motion for Summary Judgment, the Statement of Material Facts Not in Dispute, the Declaration of Marc Toberoff, the Declaration of Robert Fiveson, the Declaration of Lew Hunter, the Declaration of Robert Sullivan and the Declaration of Nicholas Williamson and Exhibits, submitted herewith.

PLEASE TAKE FURTHER NOTICE that counsel for Plaintiffs hereby request oral argument.

LAW OFFICES OF MARC TOBEROFF, PLC

s/Marc Toberoff
By: _____
Marc Toberoff (MT 4862)
1999 Avenue of the Stars, Suite 1540
Los Angeles, CA 90067
Tel: 310-246-3333

Of Counsel
Laurence Singer (*Pro Hac Vice*)
Attorney at Law
1717 K Street, Suite 600
Washington, DC 20036
Tel: (646) 327-8772
Attorneys for Plaintiffs Clonus Associates and
Robert S. Fiveson d.b.a. Fiveson Productions